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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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AUG 11 2010

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[Signature]

IN THE MATTER OF THE FORMAL
COMPLAINT OF MARSHALL MAGRUDER
FILED WITH THE ARIZONA CORPORATION
COMMISSION ON DECEMBER 5, 2008.

DOCKET NO. E-04204A-08-0589

PROCEDURAL ORDER

BY THE COMMISSION:

By Procedural Order dated June 21, 2010, oral argument on UNS Electric Inc.'s Motion to Dismiss the above-captioned matter was set for September 2, 2010, and Mr. Magruder was ordered to file a Response to the Motion by July 30, 2010.

On July 27, 2010, Mr. Magruder filed a Motion for an Extension of Time, requesting that the schedule be extended another 30 days because he has scheduling conflicts for September, and to give the City of Nogales time to consider at an August 4, 2010, meeting whether it would take action to enforce Decision No. 61793.

On July 30, 2010, UNS Electric filed a Response to the Motion and did not oppose the requested extension. UNS Electric reported that on August 4, 2010, the Nogales City Council would consider an amendment to the 1999 settlement agreement that has been negotiated between the City of Nogales and UNS Electric.

On August 5, 2010, Mr. Magruder filed Supplemental Information to his Motion. Mr. Magruder reported the City of Nogales did not take action on the proposed agreement with UNS Electric and rescheduled the matter for its September 1st council meeting. He reiterates his scheduling conflicts between September 3rd and 20th.

IT IS THEREFORE ORDERED that the procedural schedule in this matter shall be modified as follows:

Mr. Magruder Response due

September 8, 2010

UNS Electric Reply due

September 22, 2010

IT IS FURTHER ORDERED that a **Procedural Conference** for the purpose of **Oral Argument** on UNS Electric Inc.'s Motion to Dismiss shall be continued *from* September 2, 2010, to **October 6, 2010, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, **Room 222, 400 W. Congress Street, Tucson, Arizona.**

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized Communications) continues to apply to this proceeding.

IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 9th day of August, 2010.

Copies of the foregoing mailed
this 9th day of August, 2010 to:

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By: 
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